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REQUEST FOR DETERMINATION OF APPLICABILITY REPORT

1230 BRIDGE STREET

LOWELL, MASSACHUSETTS

AUGUST 10, 2016

PREPARED FOR:

NAI HUNNEMAN
303 CONGRESS STREET, 4TH FLOOR
BOSTON, MASSACHUSETTS

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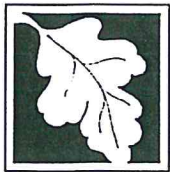
SECTION 1: PROJECT NARRATIVE

SECTION 1.1 - PROJECT NARRATIVE

The subject property, located at 1230 Bridge Street, is located in the Regional Retail (RR) Zoning District in the town of Lowell, Massachusetts. The subject property contains 1.22 ± acres of area and has 218 feet of frontage along the Westerly side of Bridge Street.

The on-site soils, as identified by the USDA Natural Resource Conservation Service Web Soil Survey, consist of hydrologic Soil Group "B" and "C" type soils. These soils consist mostly of Whitman fine sandy loam with slopes of 0 to 5 percent and extremely stone, as well as Charlton-Hollis-Rock outcrop complex with slopes of 8 to 15 percent. The subject property gradually slopes from north to south across the site. The subject property is not located within a Federal Emergency Management Agency (FEMA) classified Flood Hazard Area as shown on Department H.U.D. Federal Insurance Administration Maps, per map number 25017C0141E effective June 4, 2010.

The owner is proposing to reclaim and repave the existing parking lot, no additional impervious area will be created on site.



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

Lowell
City/Town

WPA Form 1- Request for Determination of Applicability

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

A. General Information

Important:
When filling out
forms on the
computer, use
only the tab key
to move your
cursor - do not
use the return
key.



1. Applicant:

NAI Hunneman

Name

info@naihunneman.com

E-Mail Address

303 Congress Street, 4th Floor

Mailing Address

Boston

City/Town

MA

State

02210

Zip Code

(617) 457-3400

Phone Number

(617) 457-3268

Fax Number (if applicable)

2. Representative (if any):

LandPlex

Firm

Matthew Hamor

Contact Name

mhamor@landplex.com

E-Mail Address

11 Kearney Square 3rd Floor

Mailing Address

Lowell

City/Town

MA

State

01852

Zip Code

978-201-9390

Phone Number

Fax Number (if applicable)

B. Determinations

1. I request the Lowell make the following determination(s). Check any that apply:
Conservation Commission

- ☒ a. whether the area depicted on plan(s) and/or map(s) referenced below is an area subject to jurisdiction of the Wetlands Protection Act.
- ☐ b. whether the boundaries of resource area(s) depicted on plan(s) and/or map(s) referenced below are accurately delineated.
- ☒ c. whether the work depicted on plan(s) referenced below is subject to the Wetlands Protection Act.
- ☒ d. whether the area and/or work depicted on plan(s) referenced below is subject to the jurisdiction of any municipal wetlands ordinance or bylaw of:

City of Lowell

Name of Municipality

- ☐ e. whether the following scope of alternatives is adequate for work in the Riverfront Area as depicted on referenced plan(s).



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C. Project Description

1. a. Project Location (use maps and plans to identify the location of the area subject to this request):

1230 Bridge Street

Street Address

780

Assessors Map/Plat Number

Lowell

City/Town

1230

Parcel/Lot Number

- b. Area Description (use additional paper, if necessary):

- c. Plan and/or Map Reference(s):

Parking Improvement Plan

Title

8/11/16

Date

Title

Date

Title

Date

2. a. Work Description (use additional paper and/or provide plan(s) of work, if necessary):

Reclaim and repave existing parking lot.



Massachusetts Department of Environmental Protection
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Lowell
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Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

C. Project Description (cont.)

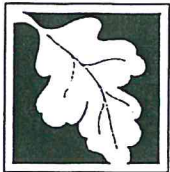
b. Identify provisions of the Wetlands Protection Act or regulations which may exempt the applicant from having to file a Notice of Intent for all or part of the described work (use additional paper, if necessary).

See attached project narrative.

3. a. If this application is a Request for Determination of Scope of Alternatives for work in the Riverfront Area, indicate the one classification below that best describes the project.

- ☐ Single family house on a lot recorded on or before 8/1/96
- ☐ Single family house on a lot recorded after 8/1/96
- ☐ Expansion of an existing structure on a lot recorded after 8/1/96
- ☐ Project, other than a single family house or public project, where the applicant owned the lot before 8/7/96
- ☐ New agriculture or aquaculture project
- ☐ Public project where funds were appropriated prior to 8/7/96
- ☐ Project on a lot shown on an approved, definitive subdivision plan where there is a recorded deed restriction limiting total alteration of the Riverfront Area for the entire subdivision
- ☐ Residential subdivision; institutional, industrial, or commercial project
- ☐ Municipal project
- ☐ District, county, state, or federal government project
- ☐ Project required to evaluate off-site alternatives in more than one municipality in an Environmental Impact Report under MEPA or in an alternatives analysis pursuant to an application for a 404 permit from the U.S. Army Corps of Engineers or 401 Water Quality Certification from the Department of Environmental Protection.

b. Provide evidence (e.g., record of date subdivision lot was recorded) supporting the classification above (use additional paper and/or attach appropriate documents, if necessary.)



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

Lowell
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WPA Form 1- Request for Determination of Applicability

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40.

D. Signatures and Submittal Requirements

I hereby certify under the penalties of perjury that the foregoing Request for Determination of Applicability and accompanying plans, documents, and supporting data are true and complete to the best of my knowledge.

I further certify that the property owner, if different from the applicant, and the appropriate DEP Regional Office were sent a complete copy of this Request (including all appropriate documentation) simultaneously with the submittal of this Request to the Conservation Commission.

Failure by the applicant to send copies in a timely manner may result in dismissal of the Request for Determination of Applicability.

Name and address of the property owner:

Chou & Tao Huynh, Trustees of Chou and Toa Realty Trust

Name

31 Betty Ann Lane

Mailing Address

Dracut

City/Town

MA

State

01826

Zip Code

Signatures:

I also understand that notification of this Request will be placed in a local newspaper at my expense in accordance with Section 10.05(3)(b)(1) of the Wetlands Protection Act regulations.

Signature of Applicant

Date

8-10-2016

Signature of Representative (if any)

Date

SECTION 2: MAPS

FIGURE 2.1
LOCUS-GIS MAP
(NOT TO SCALE)

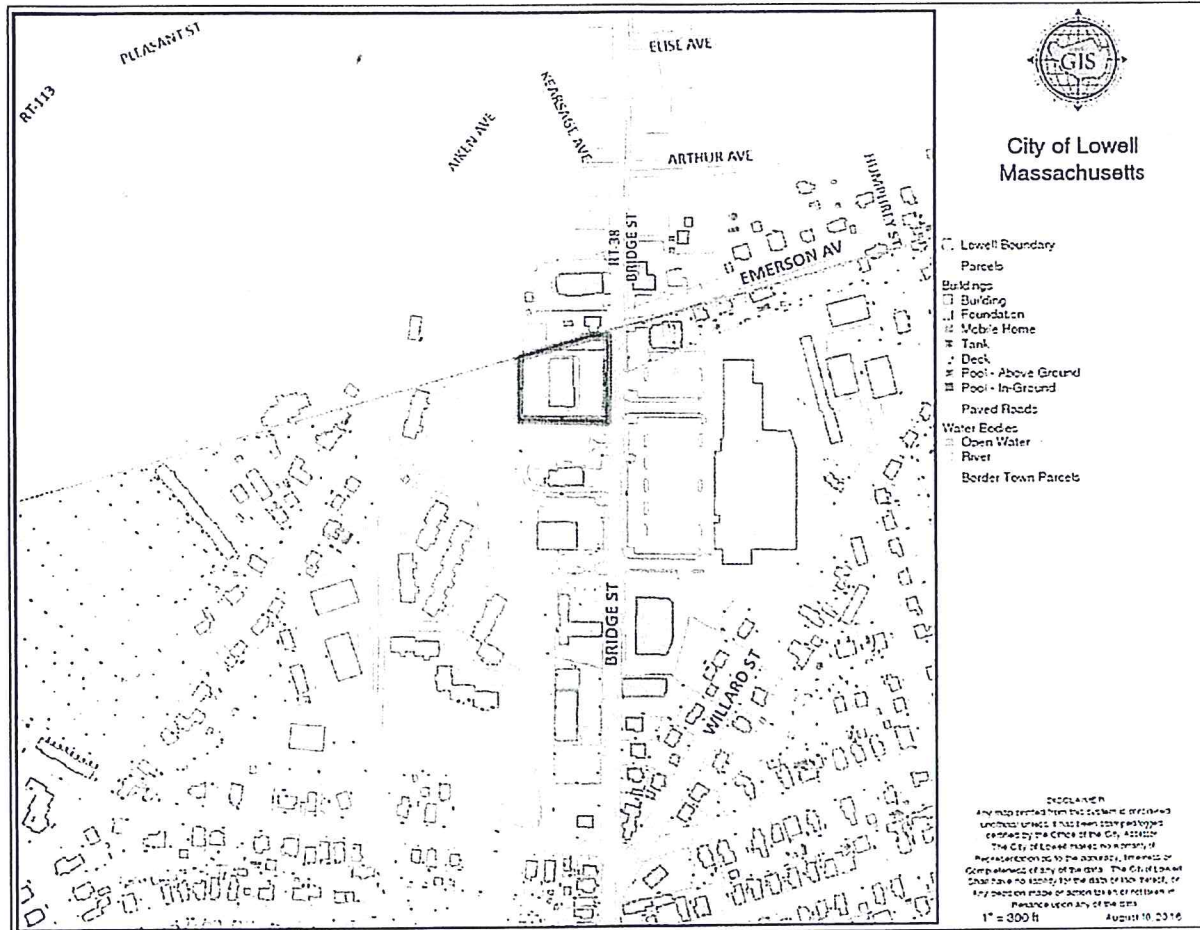


FIGURE 2.2
USGS TOPOGRAPHIC MAP
(NOT TO SCALE)

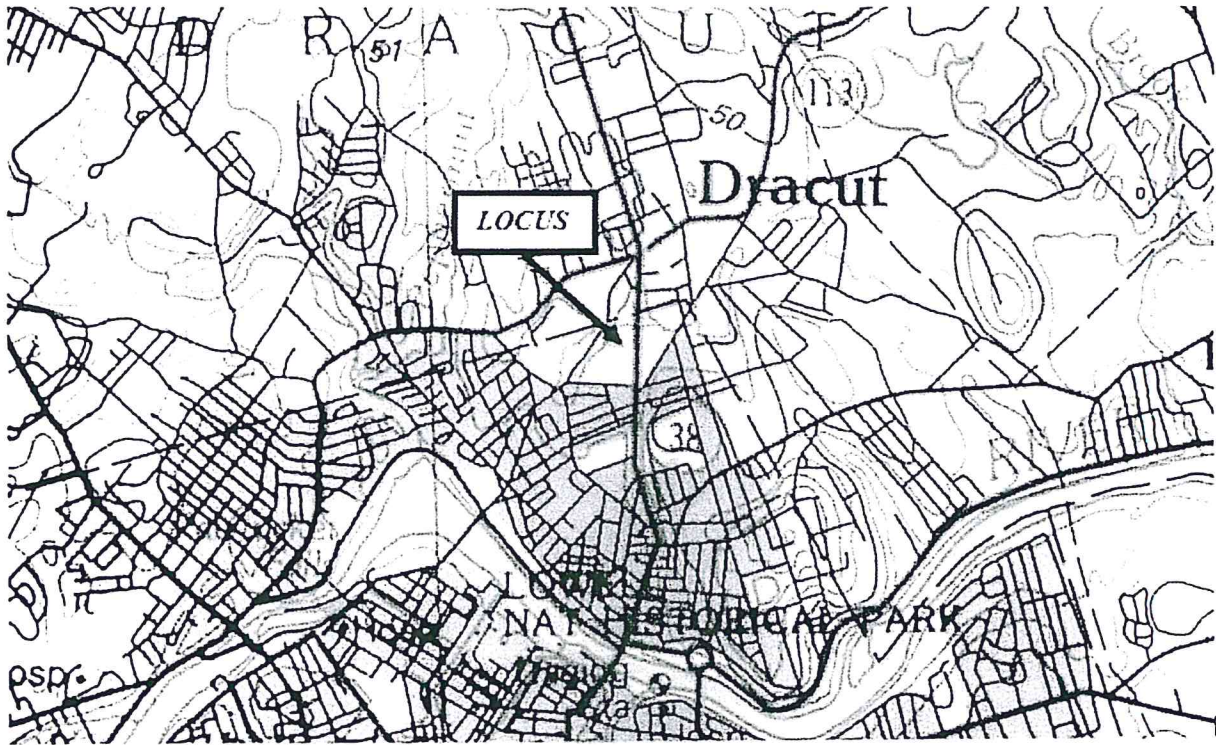


FIGURE 2.3
FEMA FLOOD PLAIN MAP
(NOT TO SCALE)

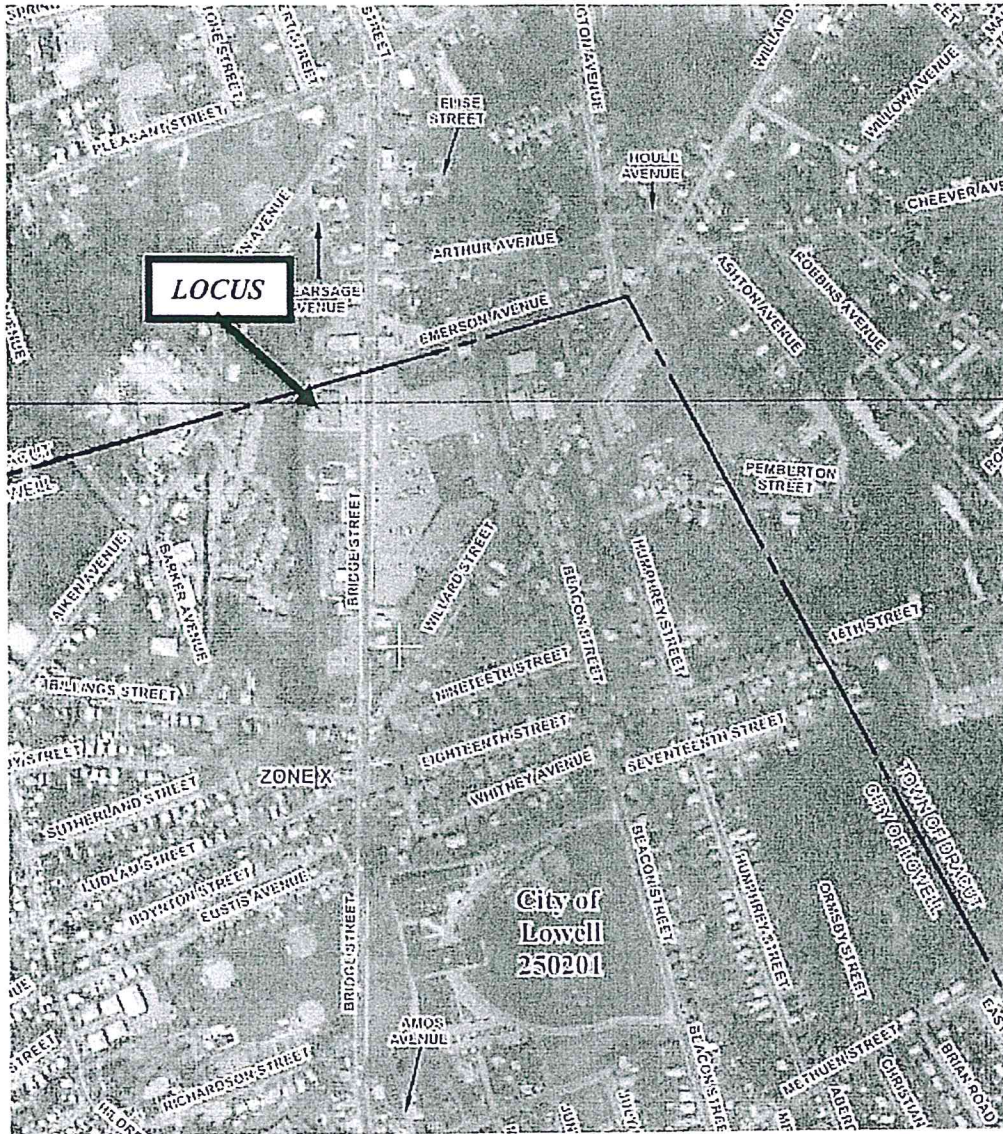
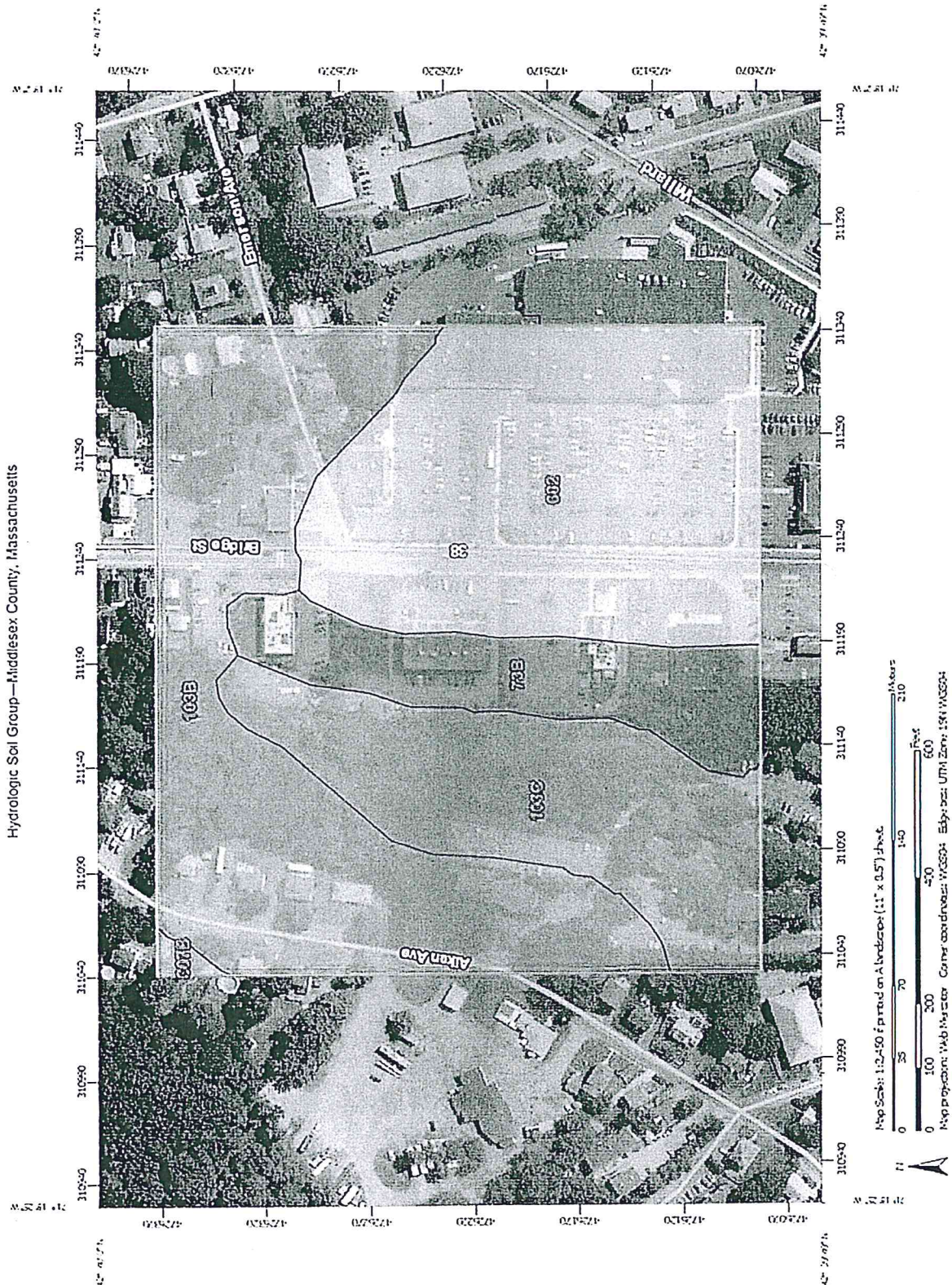


FIGURE 2.4
WEB SOILS SURVEY MAP
(NOT TO SCALE)



MAP LEGEND

Area of Interest (AOI)	C
Area of Interest (AOI)	C:D
Soils	D
Soil Rating Polygons	Not rated or not available
A	Water Features
A:D	Streams and Canals
B	Transportation
B:D	Rails
C	Interstate Highways
C:D	US Routes
D	Major Roads
Not rated or not available	Local Roads
Soil Rating Lines	Background
A	Aerial Photography
A:D	
B	
B:D	
C	
C:D	
D	
Not rated or not available	
Soil Rating Points	
A	
A:D	
B	
B:D	

MAP INFORMATION

The soil surveys that comprise your AOI were mapped at 1:25,000

Warning: Soil Map may not be valid at this scale

Enlargement of maps beyond the scale of mapping can cause misunderstanding of the detail of mapping and accuracy of soil line placement. The maps do not show the small areas of contrasting soils that could have been shown at a more detailed scale

Please rely on the bar scale on each map sheet for map measurements.

Source of Map: Natural Resources Conservation Service
Web Soil Survey URL: <http://websoilsurvey.nrcs.usda.gov>
Coordinate System: Web Mercator (EPSG:3857)

Maps from the Web Soil Survey are based on the Web Mercator projection, which preserves direction and shape but distorts distance and area. A projection that preserves area, such as the Albers equal-area conic projection, should be used if more accurate calculations of distance or area are required.

This product is generated from the USDA-NRCS certified data as of the version date(s) listed below.

Soil Survey Area: Middlesex County, Massachusetts
Survey Area Data: Version 15, Sep 28, 2015

Soil map units are labeled (as space allows) for map scales 1:50,000 or larger.

Date(s) aerial images were photographed: Aug 29, 2014—Sep 19, 2014

The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident.

Hydrologic Soil Group

Hydrologic Soil Group— Summary by Map Unit — Middlesex County, Massachusetts (MA017)				
Map unit symbol	Map unit name	Rating	Acres in AOI	Percent of AOI
72B	Whitman fine sandy loam, 0 to 5 percent slopes, extremely stony	D	2.5	11.5%
102B	Charlton-Hollis-Rock outcrop complex, 3 to 8 percent slopes	A	7.8	35.0%
103C	Charlton-Hollis-Rock outcrop complex, 8 to 15 percent slopes	A	4.4	19.7%
207B	Paxton fine sandy loam, 0 to 8 percent slopes, extremely stony	C	0.1	0.4%
602	Urban land		7.4	33.2%
Totals for Area of Interest			22.2	100.0%

FIGURE 2.5
WETLANDS MAP
(NOT TO SCALE)

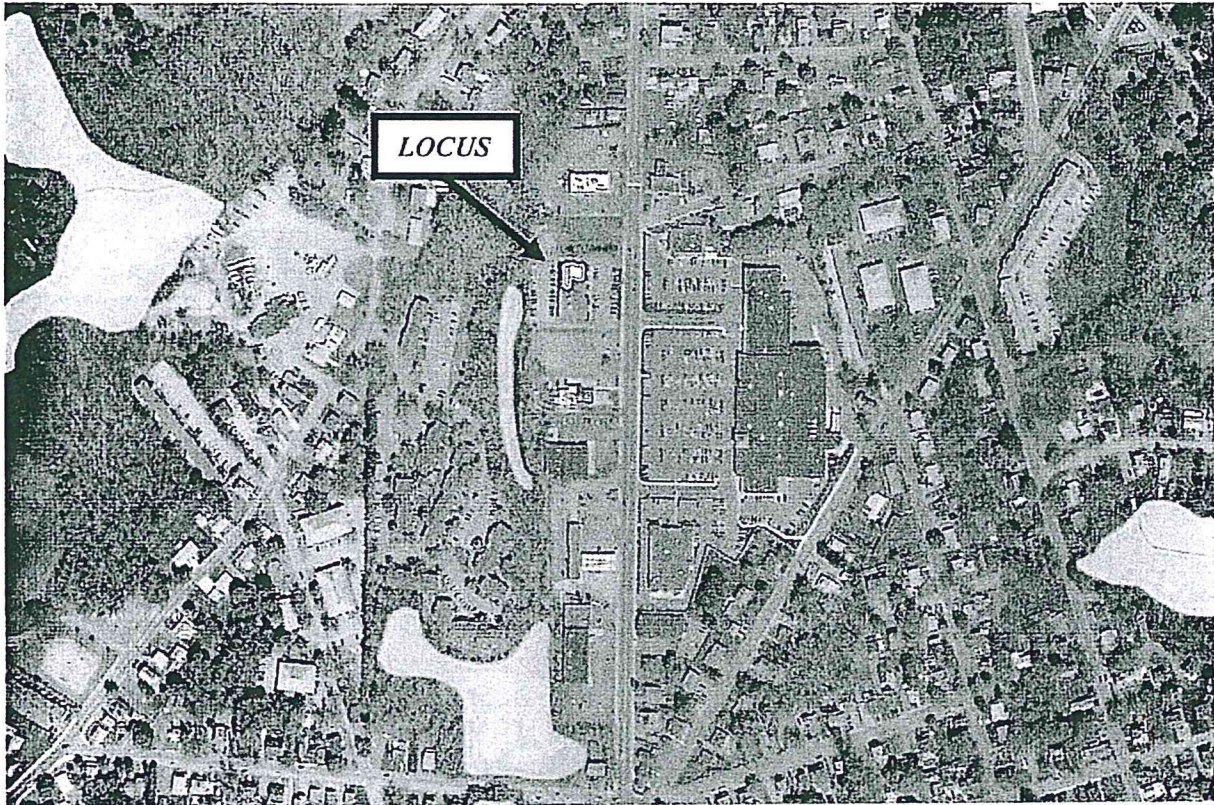
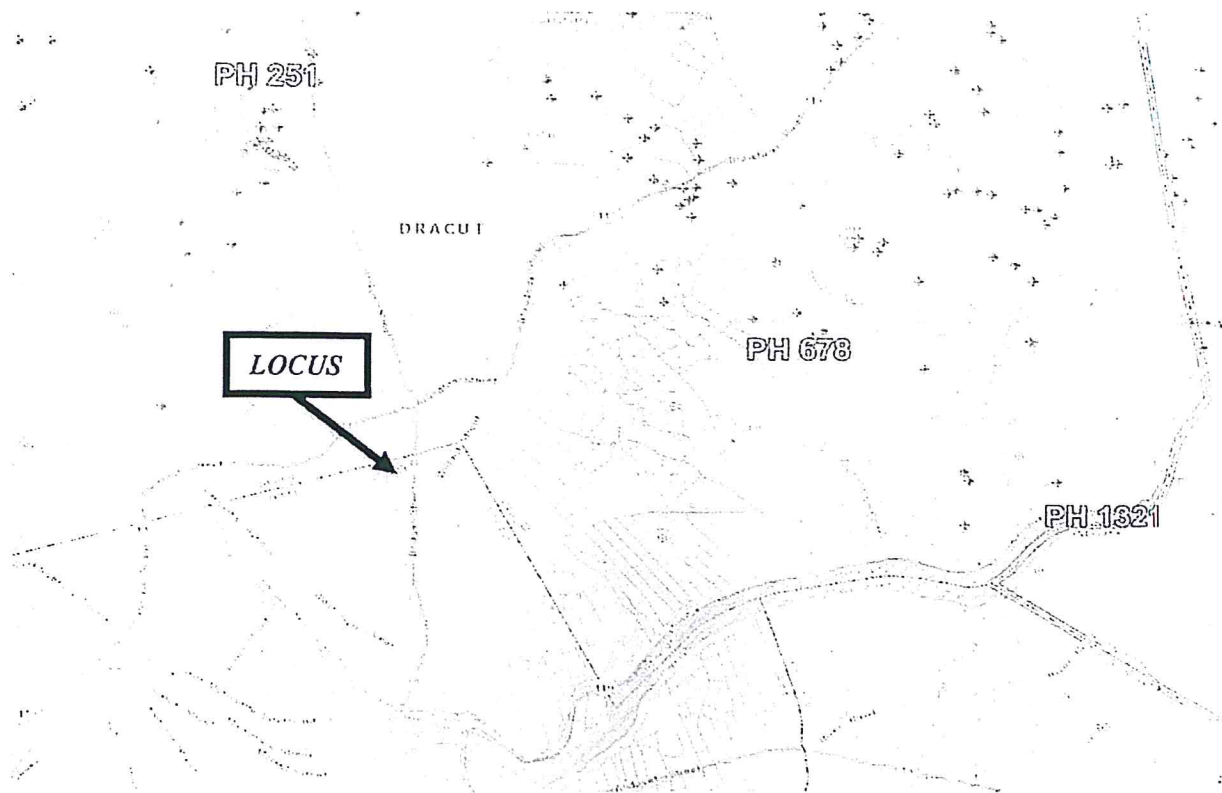


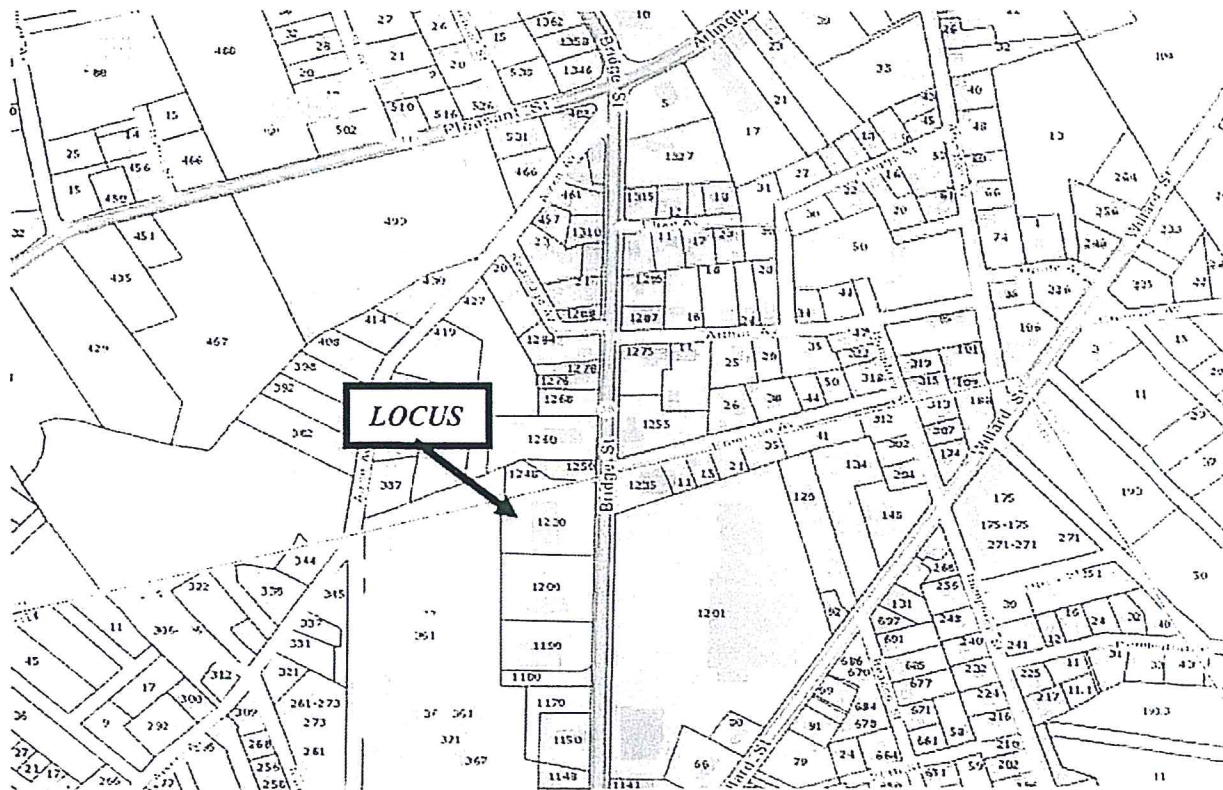
FIGURE 2.6
NHESP MAP
(NOT TO SCALE)



Legend
Potential Vernal Pools
NHESP Priority Habitats of Rare Species

NHESP Natural Communities
NHESP Estimated Habitats of Rare Wildlife
NHESP Certified Vernal Pools
NHESP Ecoregions
Tax Parcels for Query

FIGURE 2.7
ACEC MAP
(NOT TO SCALE)



Legend

Areas of Critical Environmental Concern ACECs



Areas of Critical Environmental Concern ACECs
Boundaries

- ROAD/RAIL BASED
- RIVER BASED
- WETLAND BASED
- FLOODPLAIN BASED
- TIDAL BASED
- CONTOUR BASED
- POLITICAL BOUNDARY
- PROPERTY LINE BASED
- OTHER
- NOT DEFINED

SECTION 3: ATTACHMENTS



City of Lowell Property Card

Property Location: 1230 BRIDGE ST

Parcel ID: 0171 0780 1230 0000

Legal Owner:

TRS CHOU AND TAO REALTY TRUST HUYNH CHOU ET AL TRUSTEES

31 BETTY ANN LN

DRACUT, MA 01826

Current Assessment and Property Information

Building Value: \$1,197,600.00

Land Value: \$164,700.00

Total Value: \$1,362,300.00

Account Number: B13640

GIS ID: 0780-1230

Book/Page: 17622/ 22

Legal Area: 36,450 sq ft

Land Uses

Zone:	RR	Description:	Professional Office
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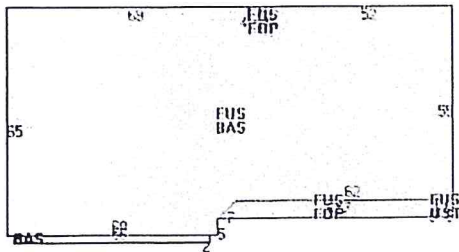
Commercial Property Information

Style:	Profess. Bldg	Living Area:	15607
Stories:	2	Effective Area:	15596
		Gross Area:	15954

Subarea Summary

Description:	Code:	Living Area:	Gross Area:
Porch, Open	FOP	0	322
Upper Story, Finished	FUS	7921	7921
Porch, Open	FOP	0	335
Upper Story, Finished	FUS	7920	7920
First Floor	BAS	7686	7686
Unkly. Storage, Unfinished	UST	0	25

Sketch



Images



DISCLAIMER: Any data printed from this system is considered "unofficial" unless it has been stamped/signed/certified by the Office of the City Assessor. The City of Lowell makes no warranty of representation as to the accuracy, timeliness, completeness of any of the data. The City of Lowell shall have no liability for the data or lack thereof, or any decision made or action taken or not taken in reliance upon any of the data.

2

WE, Peter Gorlin, Robert Gary Delong and Charles N. Rappaport, as they are Trustees of Bridge Street Realty Trust under Declaration of Trust dated September 6, 1984 and recorded in Middlesex North Registry of Deeds, Book 2842, Page 138

of 330 Boston Road, Billerica, Middlesex County, Massachusetts

Grant to Chou Huynh and Tao Huynh, as they are Trustees of Chou and Tao Realty Trust under Declaration of Trust dated July 22, 2004 and recorded herewith.

of 31 Betty Ann Lane, Dracut, Middlesex County, Massachusetts

For consideration of \$1,400,000.00

with QUITCLAIM COVENANTS

See Exhibit "A" for Legal Description attached hereto

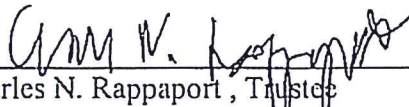
Property Address: 1230 Bridge Street, Lowell, Middlesex County, Massachusetts

We, hereby release dower, homestead, curtesy and other interests therein.

Witness our hands and seals this 22nd day of July, 2004


Peter Gorlin, Trustee


Robert Gary Delong, Trustee


Charles N. Rappaport, Trustee

COMMONWEALTH OF MASSACHUSETTS

Middlesex, ss.

July 22, 2004

Peter Gorlin, Robert Gary Delong and Charles N. Rappaport, as they are Trustees of Bridge Street Realty Trust, personally appeared before me, and proved their identification through satisfactory evidence, which were Drivers Licenses and acknowledged they signed the foregoing instrument voluntarily for its stated purpose on this 22nd day of July, 2004.



2004 00056145
Bk: 17622 Pg: 22 Page: 1 of 2
Recorded: 07/22/2004 03:08 PM



Walter E. Chambers - Notary Public
My Commission expires: November 24, 2006

MASSACHUSETTS EXCISE TAX
Middlesex North ROD #14 001
Date: 07/22/2004 03:08 PM
Ctrl# 014074 07789 Doc# 00056145
Fee: \$8,384.00 com: \$1,400,000.00

Walter E. Chambers, Notary Public
Commonwealth of Massachusetts
My Commission Expires November 24, 2006

Bot 59

Exhibit "A" - Legal Description

A certain parcel of land together with the buildings and improvements situated thereon, located on Bridge Street in Lowell and Dracut, Middlesex County, Massachusetts and being shown as the lot containing 53,065 square feet on "Compiled Plan of Land in Lowell and Dracut, Mass., drawn for Billerica Emergency Realty Trust", dated August 1984; Scale 1" = 20' and being shown in Plan Book 146, Plan 135 of the Middlesex North District Registry of Deeds, and being further bounded and described as follows:

Commencing at the northeasterly corner of the herein described parcel, said point being on the westerly sideline of Bridge Street (Route #38) and also being S 15o - 31' - 18" W, 9.00 feet from a town bound marking the intersection of the westerly limit of Bridge Street and the town line between Lowell and Dracut;

Thence running S 15o - 31' - 18" W, along said westerly side line of bridge Street, 218.00 feet to a corner of said parcel;

Thence turning and running N 74o - 28' - 42" W, along lands of now or formerly Brox, 225.00 feet to a corner - said line crossing at a 25 foot wide sewer easement shown on said plan;

Thence turning and running N 15o - 31' - 18" E, along the westerly side of said sewer easement and continuing along lands of now or formerly Brox, and crossing the town line between Lowell and Dracut at a distance of 149 feet +- from the last mentioned corner, a total distance of 249.36 feet to a corner of said parcel;

Thence turning and running N 70o - 32' - 28" E, along a stone wall and along lands of now or formerly McDonald's Corp., 53.42 feet to a corner of parcel;

Thence turning and running S 36o - 27' - 04" E, along lands of now or formerly Friend, 88.00 feet to a corner of parcel;

Thence turning and running S 73o - 11' - 07" E, along lands of now or formerly Friend and crossing the town line between Lowell and Dracut 82 feet +- from the last mentioned corner, a total distance of 107.66 feet to place of beginning.

Said parcel has a total area of 53,065 square feet (1.2182 acres) of which 42,172 +- square feet (0.968 +- acres) lie within the City of Lowell.

Being all the same premises conveyed to us by deed recorded with the Middlesex North Registry of Deeds in Book 2842, Page 142. See also Resignation of Trustee recorded herewith.

END OF DOCUMENT

Richard P. Howe Jr.